

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2144 OF 2004

Office notes, office	:	
Memoranda of Coram,	:	
appearances, Court's	:	Court's or Judge's Orders
orders or directions	:	
& Registrar's orders.	:	

Mr. A.K. Prajapati for the
petitioner.

Ms. U.V. Kejriwal, A.P.P. for
the State.

**CORAM: SMT. RANJANA DESAI &
ABHAY S. OKA, JJ.**

DATED: 21ST DECEMBER, 2004.

P.C.:-

The petitioner is the mother of one Sameer Mangroo Shaikh. In this petition filed under Article 226 of the Constitution of India, the petitioner has made serious allegations against the police particularly against Dharavi, Santacruz, Mahim and Shahu Nagar Police Stations. A fear is expressed that the petitioner's son is likely to be implicated in false and bogus cases and the police are likely to kill him in a false encounter.

In response to the petition,

affidavits have been filed by (1)
Anand B. Chavan, the Senior Inspector
of Police, Mahim Police Station, (2)
Tukaram B. Mane, Assistant Inspector
of Police, Shahu Nagar Police Station,
Dharavi, (3) Baburao Daulatrao
Gaikwad, Senior Inspector of Police,
Dharavi Police Station and (4) Kishore
S. Patil, Senior Inspector of Police,
Santacruz Police Station. We have
carefully gone through the averments
of the petition as well as the
affidavits in reply. The deponents of
these affidavits have denied the
averments of the petition particularly
the averment that the petitioner is
likely to be implicated in false and
bogus cases and that he is likely to
be killed in a false encounter.

Ms. Kejriwal, the learned A.P.P.
appearing for the State, drew our
attention to paragraph 16 of the
affidavit of Anand B. Chavan, Senior
Inspector of Police, Mahim Police
Station, which indicates that there
are eight cases registered at various
police stations against the
petitioner's son. The cases appear to
be serious. In this petition, very

wide prayers are made. It is not possible for us to grant such wide prayers. However, if the police decide to take any action, we expect them to take it in accordance with law.

High ranking police officers have denied on oath the allegation that the police are bent on implicating the petitioner's son in false and bogus cases and/or kill him by showing a false encounter.

In view of all the above circumstances and reasons, it is not necessary to entertain this petition.

The petition is disposed of with the above observations.

(SMT. RANJANA DESAI, J.)

(ABHAY S. OKA, J.)